

Brasilian Presidential Decree of March 13, 2001 (unofficial translation)

This decree creates the Interministerial Committee on Piracy Enforcement, and Related Issues.

The President of the Republic, by means of Art. 84, Clause IV of the Constitution,

D e c r e e s:

Art. 1 The Interministerial Committee on Piracy Enforcement is created.

Sole paragraph. Piracy is understood, for this decree's purposes, the violation of copyrights as referred to in Law 9,610, dated February 19, 1998.

Art. 2 It falls to the Interministerial Committee:

I - Propose an action plan of the competent agencies for protecting intellectual property rights enforcement, as well as to follow up its correspondent execution;

II - Assist competent agencies in planning preventive and enforcement actions against violations of copyrighted works;

III - Follow up, by means of reports sent by competent agencies, the execution of the activities to prevent and combat the violation of copyrighted works;

IV - Propose, whenever necessary, reforms and technical-operative modernization of the involved agencies, as well as changes which could improve legislation in force;

V - Develop a system for receiving, investigating, and searching complaints of copyright violations;

VI - Develop campaigns to combat piracy, integrating the mass media providers, with the aim of clarifying to for public opinion the harmful effect of the crime and parallel diffusion of legal texts on copyright and piracy enforcement;

VII - Propose the future establishment, by the competent federal agencies, agreements with state governments, with the aim of implementing a wide and decisive enforcement actions against street vendors of illegal merchandise;

VIII - Undertake statistical surveys to establish effective mechanisms for the prevention and repression of piracy;

IX - Monitor new forms of piracy introduced in the market, especially those made in the digital environment, and to propose dissuasive alternatives of such acts;

X - Promote information exchange on piracy and illegal traffic of products resulting from this practice;

XI - Improve the Federal Police's database, in a way to allow for the review and dissemination of piracy enforcement actions, and also an index with imprisonment, seizure and value information;

XII - Promote seminars, with private sector participation, on copyrights;

XIII - Establish a permanent dialogue with national and international institutions and entities, whose objectives and activities could contribute to combating piracy;

XIV - Stimulate and support public and private initiatives, which highlight the value copyrights, with the aim of preventing piracy;

XV - Establish mechanisms for dialogue and collaboration with the legislative and judiciary powers, with the purpose of promoting effective actions to combat piracy;

Art. 3 The Interministerial Committee on piracy enforcement shall be composed of:

I - Three officers of the Ministry of Justice, with one from the Federal Police Department and the other from the National Secretariat of Public Safety;

II - Two officers from the Ministry of Science and Technology;

III - Two officers from the Ministry of Culture;

IV - Two officers from the Ministry of Development, Industry and Foreign Trade;

V - Two officers from the Ministry of Finance, being one from the Federal Revenue Secretariat;

VI - Two officers from the Ministry of Foreign Affairs.
Paragraph 1 Members of the Interministerial Committee for combating piracy shall be assigned by the Minister of State of Justice, after their nomination by the head of the ministries above mentioned.

Paragraph 2 The presidency of the Interministerial Committee for combating piracy shall be performed by one of the Ministry of Justice's officers.

Paragraph 3 The presidency of the Interministerial Committee for combating piracy shall submit to the Ministry of Justice examination the results of the activities performed by the board.

Paragraph 4 The functions of the members of the Interministerial Committee for Combating Piracy shall not be rewarded and such performance shall be considered relevant public service.

Art. 4 The Interministerial Committee for Combating Piracy can invite private-sector representatives, whose collaboration may be necessary for the accomplishment of its competence, mainly people who professionally perform activities related to copyright and which could, for consultation purposes, contribute for the better performance of the board's activities.

Art. 5 The Ministry of Justice will assure technical and administrative support essential to the functioning of the Interministerial Committee on Piracy Enforcement, through the National Secretariat of Public Safety, which will also exert the functions of executive secretariat of the committee.

Art. 6 Expenditure as a consequence of this decree's provisions shall be charged to the budget endowments of the Ministry of Justice.

Art. 7 This decree shall take effect on the date of its publication. Brasilia, March 13, 2001; 180th of the Independence and 113th of the Republic.